

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Amendment of Part 97 of the Commission's)	
Rules Governing the Amateur Radio Services)	
)	
Amendment of Section 97.111 of the Amateur)	
Radio Service Rules to Limit Transmissions of)	WT Docket No. <u>04-140</u>
Information Bulletins)	
)	
Conforming Amendments to Part 97 of the)	
Commission's Rules to Implement the World)	
Radio Conference 1997 Final Acts)	
)	
Amendment of Part 97 to Provide Color-coded)	
License Documents)	
)	
Amendment of Part 97 to Allow Instant)	
Temporary Licensing)	
)	
Amendment of the Amateur Service Rules to)	
Limit One-Way Voice Broadcasting on)	
Frequencies Allocated to the Amateur Service)	
)	
Amendment of Sections 97.111 and 97.113 of)	
The Commission's Rules to Curb Certain)	
Abuses in the Amateur Radio Service)	
)	
Amendment of Section 97.3(a)(26) to Establish)	
Two Classifications of Information Bulletins)	
)	
Amendment of Section 97.305(c) to Authorize)	
Image Emissions in Additional High Frequency)	
Segments)	
)	
)	
By W. Lee McVey)	
)	
)	
)	
To: The Commission)	
)	
)	
)	
)	
)	
)	

**CORRECTION TO:
OPPOSITION TO PETITION FOR PARTIAL RECONSIDERATION FILED
BY THE AMERICAN RADIO RELAY LEAGUE (ARRL) DECEMBER 11,
2006**

**AND TO PETITION FOR RECONSIDERATION FILED BY W. LEE MCVEY
ON DECEMBER 14, 2006**

On December 14, 2006, I, the undersigned, filed both an Opposition to the ARRL Petition and my own Petition for Reconsideration of the Report and Order. Within my Opposition, I stated that a mode J2D protocol, Pactor III, had a total bandwidth exceeding 3kHz, occupied by as many as 16 individual carriers. It does not, according to its creator, Dr. Hans-Peter Halfert of SCS-Gmbh, Germany, who informed me of my error. Pactor III has a bandwidth of just over 2KHz, but employs a total of 18 such carriers.

However, it has been described by ARRL, in its 5MHz Amateur Allocation Petition for Rulemaking filed October 10, 2006, as ITU designator 2K80J2D. According to information codified in FCC Maritime Service regulations at 47CFR§80.205, 2K80J2D is permitted an occupied bandwidth of 3kHz.

Notwithstanding the realized lesser occupied bandwidth of this particular J2D mode, it still is not a narrow bandwidth digital mode, which was my point in filing the Opposition and my subsequent Petition. If it is the

Commission's intent that the CW/RTTY/digital segments are to be designated for narrow bandwidth content only, as evidenced further by the 500Hz restriction on newly authorized "C" suffix video at 47§CFR97.3(c) 2., J2D without any bandwidth restriction would not necessarily meet the intent of narrow bandwidth.¹

Halfert also advised me that he considers Pactor III a *specified* mode as he has posted on his Internet web site a brief technical description of the mode. I do not know if the content of his release would constitute sufficient information for someone to construct modulator/demodulator (modem) circuitry for this mode. It was my understanding that the term *specified* in 47CFR§97.309(a)(4) meant the complete release via publication of the protocol code in its entirety in a recognized technical journal.²

Since the Commission has acted already upon the ARRL Petition, I realize this submittal is late, but is submitted for correction of the Record in the Proceeding and in the anticipation of a response to my own Petition for Reconsideration.

Respectfully Submitted,

¹ See 47CFR307(f)(3). Constraint by a 300 Baud symbol rate will not necessarily limit bandwidth of multiple carrier data modes.

² To my knowledge, only PacTOR I has been publicly released such that multiple sources exist for modems capable of receiving and transmitting this protocol.

/s/

W. Lee McVey
3 Squires Glenn Lane
Leeds, AL 35094-4564
December 19, 2006